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**JAN 03 2007**

**OFFICE OF PETITIONS**

Decision on Petition

In re Application of Carney :  
Application No. 10/800,608 :  
Filing Date: March 15, 2004 :  
For: Alfalfa Sprout Powder Based :  
Supplement :

This is a decision on the petition under 37 CFR 1.137(b), filed December 21, 2006, to revive the above-identified application.

The petition is **granted**.

A non-final Office action was mailed January 13, 2006. The Office action set a shortened statutory period for reply of three (3) months.

On an unknown date, petitioner attempted to electronically file an amendment. The Office notes the amendment header lists a date of April 27, 2006.

Office records do not indicate receipt of a reply to the non-final Office action. As a result, the application became abandoned on April 14, 2006.

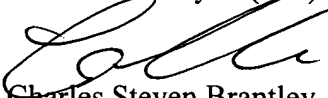
A Notice of Abandonment was mailed July 31, 2006.

The instant petition requests revival of the application.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Therefore, the petition is granted and the application is revived.

Technology Center Art Unit 1655 will be informed of the instant decision and the application will be further examined in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

  
Charles Steven Brantley  
Senior Petitions Attorney  
Office of Petitions